

FILED

JUN 19 2008

6-19-2008

MICHAEL W. DOBBS  
CLERK, U.S. DISTRICT COURT

10/10/2007

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOISIN FORMA PAUPERIS APPLICATION  
AND  
FINANCIAL AFFIDAVITShawn Matheny  
Plaintiff

v.

Michael F. O'leary  
Defendant(s)

CASE NUMBER

08-CV-2142

JUDGE

BLANCHE M. MAUNIK

Wherever ☐ is included, please place an X into whichever box applies. Wherever the answer to any question requires more information than the space that is provided, attach one or more pages that refer to each such question number and provide the additional information. Please PRINT.

I, Shawn Matheny, declare that I am the ☒ plaintiff ☐ petitioner ☐ movant (other \_\_\_\_\_) in the above-entitled case. This affidavit constitutes my application ☐ to proceed without full prepayment of fees, or ☐ in support of my motion for appointment of counsel, or ☒ both. I also declare that I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint/petition/motion/appeal. In support of this petition/application/motion/appeal, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Question 2)  
I.D. # R12775 Name of prison or jail: Western Illinois Correctional Center  
Do you receive any payment from the institution? ☒ Yes ☐ No Monthly amount: \$10.00

2. Are you currently employed? ☐ Yes ☒ No  
Monthly salary or wages: 0  
Name and address of employer: none

a. If the answer is "No":  
Date of last employment: 9-28-05  
Monthly salary or wages: 9.00 and hour  
Name and address of last employer: Pepper Glass, Ottawa IL  
61350

b. Are you married? ☐ Yes ☒ No  
Spouse's monthly salary or wages: 0  
Name and address of employer: none

3. Apart from your income stated above in response to Question 2, in the past twelve months have you or anyone else living at the same residence received more than \$200 from any of the following sources? Mark an X in either "Yes" or "No", and then check all boxes that apply in each category.

a. Salary or wages ☐ Yes ☒ No  
Amount 0 Received by none

comments. I plaintiff recieved this motion from the Clerk of US Court on 6-5-07. I have sent on that date a copy for the trust fund ledger. Although have been incarcerated since 2-28-08, not for six months there I can only provide a true verification of my funds since 2-28-08. Before 2-28-08 I was homeless living in a hot receive 15000 annu. Fed 12

Security number is 323-72-4500. I had no employment and was staying on the streets.

b. ☐ Business, ☐ profession or ☐ other self-employment ☐ Yes ☒ No  
 Amount 0 Received by none

c. ☐ Rent payments, ☐ interest or ☐ dividends ☐ Yes ☒ No  
 Amount 0 Received by none

d. ☐ Pensions, ☐ social security, ☐ annuities, ☐ life insurance, ☐ disability, ☐ workers' compensation, ☐ unemployment, ☐ welfare, ☐ alimony or maintenance or ☐ child support ☐ Yes ☒ No  
 Amount 0 Received by none

e. ☐ Gifts or ☐ inheritances ☐ Yes ☒ No  
 Amount 0 Received by none

f. ☒ Any other sources (state source: Illinois Department of Corrections) ☐ Yes ☒ No  
 Amount 10.00 a month Received by Western Illinois Correctional Center

4. Do you or anyone else living at the same residence have more than \$200 in cash or checking or savings accounts? ☐ Yes ☒ No Total amount: 0  
 In whose name held: none Relationship to you: none

5. Do you or anyone else living at the same residence own any stocks, bonds, securities or other financial instruments? ☐ Yes ☒ No  
 Property: none Current Value: 0  
 In whose name held: none Relationship to you: none

6. Do you or anyone else living at the same residence own any real estate (houses, apartments, condominiums, cooperatives, two-flats, three-flats, etc.)? ☐ Yes ☒ No  
 Address of property: none  
 Type of property: none Current value: 0  
 In whose name held: none Relationship to you: none  
 Amount of monthly mortgage or loan payments: none  
 Name of person making payments: none

7. Do you or anyone else living at the same residence own any automobiles, boats, trailers, mobile homes or other items of personal property with a current market value of more than \$1000? ☐ Yes ☒ No  
 Property: none  
 Current value: 0  
 In whose name held: none Relationship to you: none

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute monthly to their support. If none, check here ☒ No dependents  
I have been incarcerated since 2-28-08 and before this date I was homeless with no income since 9-28-05. a trust fund letter has been sent with this motion verifying funds that I have had since my incarceration. I was homeless living in Joliet IL.

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: 6-5-07

Shawn Matheny  
Signature of Applicant

Shawn Matheny  
(Print Name)

**NOTICE TO PRISONERS:** A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

**CERTIFICATE**

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

I certify that the applicant named herein, Matheny, LD # 020335, has the sum of

\$ 20.68 on account to his/her credit at (name of institution) WICC

I further certify that the applicant has the following securities to his/her credit: Not known. I further

certify that during the past six months the applicant's average monthly deposit was \$ n/a

(Add all deposits from all sources and then divide by number of months).

6/12/08

DATE

Stephanie Downs  
SIGNATURE OF AUTHORIZED OFFICER

Stephanie Downs

(Print name)

\*Inmate arrived at WICC in 06/08.

Date: 6/12/2008

Western Illinois Correctional Center

Time: 12:28pm

Trust Fund

d\_list\_inmate\_trans\_statement\_composite

Inmate Transaction Statement

REPORT CRITERIA - Date: 01/01/2007 thru End; Inmate: R12775; Active Status Only ? : No; Print Restrictions ? : Yes;  
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print  
Balance Errors Only ? : No

Inmate: R12775 Matheny, Shawn

Housing Unit: WIL-02-D -55

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
						Beginning Balance:	0.00
06/06/08	Payroll	20 Payroll Adjustment	158133		P/R month of 05/2008	.68	.68
06/12/08	Mall Room	01 MO/Checks (Not Held)	184216	100005619	Slots, Gloria	20.00	20.68
						Total Inmate Funds:	20.68
						Less Funds Held For Orders:	.00
						Less Funds Restricted:	.00
						Funds Available:	20.68
						Total Furloughs:	.00
						Total Voluntary Restitutions:	.00

We can only provide info  
while at Western.